

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for

Eastern District of Washington

Jan 25, 2023

SEAN F. MCAVOY, CLERK

U.S.A. vs.

Batke, Brandon Christopher

Docket No.

0980 2:22CR00094-TOR-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Brandon Christopher Batke, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the Court at Spokane, Washington, on the 1st day of September 2022, under the following conditions:

Standard Condition #10: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 6, 2022, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Batke. Mr. Batke acknowledged an understanding of the release conditions at that time.

Violation #1: Brandon Christopher Batke is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of norfentanyl on December 12, 2022.

On December 12, 2022, Mr. Batke submitted to a random urinalysis at his outpatient substance abuse treatment provider, Spokane Addiction and Recovery Center (SPARC). Subsequently, the urine specimen was sent to Cordant Health Solutions (Cordant).

On January 10, 2023, Cordant confirmed the aforementioned urine specimen tested positive for norfentanyl. Norfentanyl is a metabolite of fentanyl. It should be noted, the urine specimen tested negative for fentanyl.

The undersigned officer has had multiple discussions regarding the above-noted test result. Mr. Batke has adamantly denied ingesting fentanyl. In response to the aforementioned positive drug test, the undersigned officer has increased Mr. Batke's drug testing expectations through the U.S. Probation Office.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: January 24, 2023

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

Re: Batke, Brandon Christopher

January 24, 2023

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

1/25/23

Date